

REMARKS

The application includes claims 23-54 prior to entering this amendment.

The Examiner rejected claims 33-43 under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

The Examiner rejected claims 23, 25, 32-34, 39, 42 and 43 under 35 U.S.C. § 102(b) as being anticipated by Mekikian (WIPO 2001/0188662).

The Examiner rejected claims 31, 44-45, 50, 53, and 54 under 35 U.S.C. § 103(a) as being unpatentable over Mekikian.

The Examiner rejected claims 24, 26-30, 35-38, 40-41, 46-49, and 51-52 under 35 U.S.C. § 103(a) as being unpatentable over Mekikian in view of Lin, et al. (U.S. Patent No. 6,675,159).

The applicants add new claims 55-57. The new claims are supported in the specification, for example in paragraphs [028], [050], [052], [058], [068], [075], [077], and [079].

The application remains with claims 23-57 after entering this amendment.

The applicants add no new matter and request reconsideration in view of the following remarks. The applicants point out that the claimed subject matter may be patentably distinguished from the cited reference(s) for multiple reasons; however, the following remarks are believed to be sufficient. Likewise, it is noted that the applicants' failure to comment directly upon any of the positions asserted by the Examiner in the office action does not indicate agreement or acquiescence with those asserted positions.

Claim Rejections - 35 U.S.C. § 101

The Examiner rejected claim 33-43 under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

The applicants have herein amended independent claim 33, on which each of dependent claims 34-43 depend, to recite (emphasis added):

searching, by a computer, content storage using a key to a semantic index;

The applicant believes that this amendment overcomes the rejection.

Overview of Mekikian

Mekikian does teach a type of search engine. As shown in Mekikian's Fig. 3 and as described in Mekikian starting on page 24, line 5:

As shown in figure 3, the run time process (100) receives questions posed by a user and uses the index file and the score file to identify sentences that may answer the questions. The run time process has two main parts. One part is the analysis of the questions 101 to produce a question file 104. The second part is the matching of information 103 in the question file with information in the index file to identify sentences that are likely to provide answers to the questions.¹

There are several important things to note in Mekikian's teachings.

First, while Mekikian does perform analysis of the question, that analysis is merely to produce Mekikian's "question file" for use with Mekikian's "index file". Mekikian does not teach any processing of the question other than for the purpose of searching using Mekikian's "index file." Thus, while Mekikian has "pattern-based rules" (see for example Mekikian, page 22, lines 24-26), Mekikian's rules are used simply as part of Mekikian's analysis of the question for Mekikian's matching and not for other purposes.

Second, Mekikian only teaches that the question is used to access a single "index file," or a statically determined fixed set of index files.

A single index file is built for all sources in the system.²

Indexing need not be captured in a single central index file and score file but can be distributed among multiple index files and score files. At run time, questions may be answered by a scoring system that operates *on all of the files*.³ (emphasis added)

There are no teachings in Mekikian that the question could somehow be used to select which ones of one or more index files are to be used, or that any information retrieval technology other than an index file could be used.

Third, Mekikian does not teach any manner in which processing of the question, independent of using the question to access the "index file," can generate or produce any actions. For example, Mekikian's "ad TAGS" are produced based on the response from Mekikian's engine, and not directly from the question independent of the response from Mekikian's engine.

As before, the text of the query is passed to the engine (232) and a response is generated (234). The engine also uses the response to generate ad TAGS (238)⁴ (emphasis added).

¹ Mekikian, page 24, lines 5-12.

² Mekikian, page 15, line 5.

³ Mekikian, page 27, lines 8-11.

Claim Rejections - 35 U.S.C. § 102

The Examiner rejected claims 23, 25, 32-34, 39, 42 and 43 under 35 U.S.C. § 102(b) as being anticipated by Mekikian.

Regarding independent claim 33, there are multiple ways in which the Office Action has misinterpreted Mekikian. In particular, the Office Action does not follow the steps of the applicants' claim 33, and reads portions of the claim onto Mekikian in ways that are inconsistent with Mekikian's teachings.

The Office Action alleges that the applicants' "searching content storage" reads on Mekikian's "matching of elements":

searching content storage using the concept as a key to a semantic index as a part of one of the information retrieval technologies and displaying the information (matching of elements in a question with elements in an index file ... , displayed, pg 6, ln 18-24).⁵

However, given this alleged reading, readings of other elements of the claim onto Mekikian do not make sense.

First, the Office Action alleges:

associating one or more annotations with respective ones of at least some of the elements ("what are the ski conditions like in Aspen?" ...generate TAGS.. for Aspen, such as "ski rental" ... Flying to Aspen", pg 28, ln 20-27, Aspen as element associated with the TAGS/annotations);⁶

As explained above in the overview of Mekikian, Mekikian's "ad TAGS" are generated as a result of Mekikian's search (based on the response from Mekikian's engine), and thus they cannot be the same as the applicants' annotations, since the annotations are, along with elements, matched "to a concept," and "the concept is used as the key to the semantic index used in the searching of the content storage" (as recited in the applicants' claim 33). In other words, the applicants' annotations must be obtained prior to "the searching of the content storage" and thus cannot be the same as Mekikian's tags which are only produced after a result of Mekikian's search. (See Mekikian, Fig. 6.) Further, even if Mekikian's tags were somehow obtained from the query without using Mekikian's engine (contrary to what Mekikian teaches), Mekikian's tags

⁴ Mekikian, page 28, lines 22-24.

⁵ Office Action, page 6.

⁶ Office Action, page 5.

are only “used to extract appropriate ads from ad inventory”⁷ and thus do not meet the other limitations of the applicants’ claim 33 regarding the “annotations.”

Second, the Office Action alleges:

selectively firing a respective action of each of the plurality of rules based on respective results of the comparing (if the answer quality... is high ...displayed alone, if several of the top...have close scores...they can all be displayed, pg 25, ln 10-29, display options as actions);⁸

As above, the cited portion of Mekikian is clearly performed based on output of Mekikian’s search (in order to determine the response), whereas the applicants’ “selectively firing a respective action” is clearly prior to the applicants’ “searching of the content storage” since “the selective firing of at least one of the respective actions” operates “one or more information retrieval technologies,” and “the one or more information retrieval technologies include the searching of the content storage” (as recited in the applicants claim 33). Further, the applicants’ “comparing” is “against the elements and the annotations” where the elements are from “parsing the query into elements” (as recited in the applicants claim 33, emphasis added), whereas Mekikian’s sentence scoring is clearly on sentences resulting from Mekikian’s search.

While the rejection alleges that every element of the applicants’ claim 33 is taught in Mekikian, there are multiple portions of the applicants’ claim 33 whose limitations are not met by the teachings of Mekikian. The applicants refer the Examiner to Fig. 1A in the application as filed and to Mekikian’s Fig. 3. A comparison of these figures with regard to the applicants’ claim 33 may be helpful.

Accordingly, Mekikian does not teach every element of claim 33, and thus claim 33 is in condition for the Examiner’s allowance for at least this reason.

Regarding independent claim 23, independent claim 23 includes at least some elements similar to those of independent claim 33, and is in condition for the Examiner’s allowance for at least some of the same reasons.

Regarding dependent claims 25, 32-34, 39, 42 and 43, the dependent claims incorporate all of the elements of their respective independent claim, and as the independent claims are

⁷ Mekikian, page 28, line 28 – page 29, line 1.

⁸ Office Action, page 6.

allowable per the remarks above, dependent claims 25, 32-34, 39, 42 and 43 are in condition for the Examiner's allowance for at least this reason.

Claim Rejections - 35 U.S.C. § 103

The Examiner rejected claims 31, 44-45, 50, 53, and 54 under 35 U.S.C. § 103(a) as being unpatentable over Mekikian.

The Examiner rejected claims 24, 26-30, 35-38, 40-41, 46-49, and 51-52 under 35 U.S.C. § 103(a) as being unpatentable over Mekikian in view of Lin.

Regarding independent claim 44, independent claim 44 includes at least some elements similar to those of independent claim 33, and is in condition for the Examiner's allowance for at least some of the same reasons.

Regarding dependent claims 24, 26-31, 35-38, 40-41, and 45- 54, the dependent claims incorporate all of the elements of their respective independent claim, and as the independent claims are allowable per the remarks above, dependent claims 24, 26-31, 35-38, 40-41, and 45- 54 are in condition for the Examiner's allowance for at least this reason.

New Claims

New dependent claims 55-57 are dependent on independent claim 33. As independent claim 33 is allowable per the remarks above, dependent claims 55-57 are in condition for the Examiner's allowance for at least this reason.

Further, with regard to dependent claim 55, Mekikian has no teachings regarding rules where "the actions selectively fired by the rules ... define a search criteria" and "the search criteria" are used "when searching the content storage" (as recited in the applicants' claim 55). Accordingly, claim 55 is also in condition for the Examiner's allowance for at least this reason.

Further, with regard to dependent claim 56, Mekikian has no teachings regarding rules where "the actions selectively fired by the rules" specify "weightings" used in "determining relevance to the query of individual documents in the information" and "wherein the rules identify *both* the concept representing the intent of the query to be addressed in the information and the weightings determining the relevance of the documents in the information" (emphasis

added, as recited in the applicants' claim 56). Accordingly, claim 56 is also in condition for the Examiner's allowance for at least this reason.

CONCLUSION

For the foregoing reasons, the applicants request reconsideration and allowance of claims 23-57. The applicants encourage the Examiner to telephone the undersigned if it appears that an interview would be helpful in advancing the case.

Customer No. 73552

Respectfully submitted,

STOLOWITZ FORD COWGER LLP

A handwritten signature in dark ink, appearing to read 'Stephen S. Ford', is written over a horizontal line.

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